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s/ Rachel Potash  
Rachel Potash

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:  
**PENG CHO TANG, et al.,**

Serial No.: 10/725,277

Confirmation No.: 1815

Filed: December 2, 2003

For: **INDOLINONE DERIVATIVES AS  
PROTEIN KINASE/PHOSPHATASE  
INHIBITORS**

Group Art Unit: 1626

Examiner: Paviglianiti, Anthony Joseph

**TERMINAL DISCLAIMER**

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Sir:

Sugen, Inc., owner of all title and interest in the above-identified application by virtue of an Assignment recorded at Reel 02078, Frame(s) 0719, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on this application that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173 as shortened by any terminal disclaimer filed before the grant of U.S. Patent No. 6,506,763 issued on second U.S. Patent Application Serial No. 09/916,331, filed on July 30, 2001, or U.S. Patent No. 6,861,418 issued on second U.S. Patent Application Serial No. 10/736,243, filed on December 16, 2003. The owner agrees that any patent granted on the present application shall be enforceable only for and during such period that it and the patent granted on the second application are commonly owned. This agreement runs with any patent granted on the present application and is binding on the grantee and its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the present application that would extend to the expiration date of the full statutory term as term defined in 35 U.S.C. §§ 154-156 and 173 of the patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that such granted patent: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated before the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

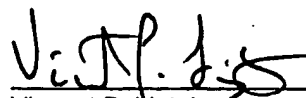
Please charge any fees not submitted herewith required for filing this terminal disclaimer, including the fee under 37 C.F.R. § 1.20(d), to Deposit Account No. 500329.

This is a submission on behalf of the owner. The undersigned is empowered to act on behalf of the owner.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true. I further declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Respectfully submitted,

Date: 05/31/2005



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